REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claim 1 has been amended to incorporate the subject matter of claim 2. Claim 8 has been amended to be placed in independent form. Claims 2, 6, and 7 have been canceled. Applicant respectfully requests entry and consideration of these amendments.

After amending the claims as set forth above, claims 1, 3-5, and 8-15 are pending and submitted for reconsideration.

Rejection under 35 U.S.C. § 102

Claims 1, 6, and 7 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent. No. 5,979,931 (hereafter "Totani et al."). This rejection is respectfully traversed. Claim 1 has been amended to incorporate the features of claim 2. As stated on page 3 of the Office Action, Totani et al. does not disclose the features of claim 2. Withdrawal of this rejection is respectfully requested.

Rejections under 35 U.S.C. § 103

Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Totani et al. in view of U.S. Patent No. 6,308,391 (hereafter "Blaimschein et al."). This rejection is respectfully traversed.

Claim 1 has been amended to incorporate the features of claim 2. Amended claim 1 recites a method of producing a cover for covering a vehicle airbag, the method comprising the steps of: providing a three-dimensionally molded airbag cover; determining a first distance between a processing edge of an ultrasonic processing mechanism and a predetermined location on the ultrasonic processing mechanism; determining a second distance between a processing surface of the airbag cover and the predetermined location on

the ultrasonic processing mechanism; and forming a tear line with a predetermined depth within the thickness of the airbag cover by ultrasonic processing.

Blaimschein et al. discloses a machining method in which a distance between a reference point on a knife and a workpiece surface is determined. See Blaimschein et al. at col. 1, lines 36-57. Blaimschein et al. discloses measuring a distance between a sensor 17 and a workpiece surface. See Blaimschein et al. at col. 4, lines 1-8. However, Blaimschein et al. does not disclose or suggest determining the two distances recited in amended claim 1. Blaimschein et al. does not disclose or suggest "determining a first distance between a processing edge of an ultrasonic processing mechanism and a predetermined location on the ultrasonic processing mechanism; determining a second distance between a processing surface of the airbag cover and the predetermined location on the ultrasonic processing mechanism." Nor is the distance disclosed by Blaimschein et al., i.e. the distance between a reference point on a knife and a workpiece surface, a distance between a processing edge of an ultrasonic processing mechanism and a predetermined location on the ultrasonic processing mechanism.

Furthermore, it would not have been obvious to one of ordinary skill in the art to modify the teachings of Totani et al. by the teachings of Blaimschein et al. to produce the claimed method. A basic requirement of a *prima facie* case of obviousness is that a prior art reference, or references when combined, teach or suggest all claim limitations. See M.P.E.P. §§ 2143, 2143.03. Totani et al. and Blaimschein et al., alone or in combination, fail to disclose or suggest all of the features of claim 1. Therefore, the teachings of Totani et al. and Blaimschein et al. could be combined to provide the method of claim 1.

The Office argues that it would have been obvious to determine the two distances recited in claim 1 through calibration or "zeroing" of the cutting tool on the workpiece. See Office Action at page 4. However, Totani et al. and Blaimschein et al. do not disclose or suggest determining the two distances recited in claim 1. Nor do Totani et al. and Blaimschein et al. disclose or suggest a calibration or "zeroing" step that would inherently determine the two distances recited in claim 1.

The two distances recited in claim 1 are not commonly known and are not disclosed in the art of record. If the PTO intends to take Official Notice with regard to these features, Applicant respectfully requests that the PTO provide prior art to show these features or withdraw the rejection. See M.P.E.P. § 2144.03.

For at least the reasons discussed above, withdrawal of this rejection is respectfully requested.

Claims 3 and 4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Totani et al. in view of Blaimschein et al. as applied to claim 2, and further in view of U.S. 6,737,607 (hereafter "Nicholas et al."). This rejection is respectfully traversed.

Nicholas et al. discloses a laser cutting apparatus in which a first sensor is used to directly determine the depth of a cut in the same spot that a laser beam is cutting a workpiece, and a second sensor that is arranged on an opposite side of the workpiece for determining a remaining thickness of the workpiece. See Nicholas et al. at col. 1, lines 48-64. However, Nicholas et al. does not disclose or suggest determining the two distances recited in claim 1. Therefore, Nicholas et al. fails to remedy the deficiencies of Totani et al. and Blaimschein et al. discussed above in regard to independent claim 1, from which claims 3 and 4 depend. Withdrawal of this rejection is respectfully requested.

Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Totani et al. in view of Blaimschein et al. as applied to claim 2, and further in view of U.S. Pub. No. 2002/0069736 (hereafter "Yasoda et al."). This rejection is respectfully traversed.

Yasoda et al. discloses cutting apparatus in which lowering amount data of a cutting blade is determined by detecting a knife edge. See paragraphs 0030 and 0031 of Yasoda et al. However, Nicholas et al. does not disclose or suggest the determining the two distances recited in claim 1. Therefore, Yasoda et al. fails to remedy the deficiencies of Totani et al. and Blaimschein et al. discussed above in regard to independent claim 1, from which claim 5 depends. Withdrawal of this rejection is respectfully requested.

Claims 8-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Totani et al. in view of U.S. Patent No. 6,512,575 (hereafter "Marchi"). This rejection is respectfully traversed.

Claim 8 has been amended to be placed in independent form. Amended claim 8 recites a method of producing a cover for covering a vehicle airbag, the method comprising the steps of: providing a three-dimensionally molded airbag cover; providing an ultrasonic processing mechanism, wherein the ultrasonic processing mechanism comprises a meter that measures distances; determining a distance between the meter and a processing edge of the ultrasonic processing mechanism; forming a tear line with a predetermined depth within the thickness of the airbag cover by ultrasonic processing.

As noted on page 6 of the Office Action, Totani et al. does not disclose a meter that measures distances.

Marchi discloses a method of measuring distances of an object from a measuring device. See Marchi at col. 1, lines 11-13. Marchi discloses that measuring a distance from a machine tool to a surface being machined is necessary for correct positioning of the tool. See Marchi at col. 1, lines 13-21. However, Marchi discloses calibrating a device by directing a signal to a reference target that is located at a predetermined distance, detecting a signal from the reference target, and comparing signals to determine the calibration of the device. See Marchi at col. 4, lines 5-47. Therefore, Marchi discloses determining the distance to a target at a predetermined distance, not "determining a distance between the meter and a processing edge of the ultrasonic processing mechanism," as recited in claim 8.

Totani et al. and Marchi, alone or in combination, fail to disclose or suggest "determining a distance between the meter and a processing edge of the ultrasonic processing mechanism." A basic requirement of a *prima facie* case of obviousness is that a prior art reference, or references when combined, teach or suggest all claim limitations. See M.P.E.P. §§ 2143, 2143.03. Totani et al. and Marchi, alone or in combination, fail to disclose or

suggest all of the features of claim 8. Therefore, the teachings of Totani et al. and Blaimschein et al. cannot be combined to provide the method of claim 8.

The PTO contends that it would have been obvious to calculate the distance between a meter and a processing edge of an ultrasonic processing mechanism on the basis of measurements disclosed by Marchi because this would have been within the skill level of one in the art. See Office Action at page 6. However, the PTO does not explain how one could use any measurement disclosed by Marchi to provide the distance recited in claim 8. Furthermore, the fact that a claimed invention is within the capabilities of one of ordinary skill in the art is not sufficient by itself to establish *prima facie* obviousness. See M.P.E.P. § 2143.01, Part IV.

For at least the reasons discussed above, withdrawal of this rejection is respectfully requested.

Claims 12-14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Totani et al. in view of Marchi, as applied to claim 8, and further in view of Blaimschein et al. This rejection is respectfully traversed. Blaimschein et al. fails to remedy the deficiencies of Totani et al. and Marchi discussed above in regard to independent claim 8, from which claims 12-14 depend. Withdrawal of this rejection is respectfully requested.

Claim 15 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Totani et al. in view of Marchi and Blaimschein et al., and further in view of Nicholas et al. This rejection is respectfully traversed. Nicholas et al. fails to remedy the deficiencies of Totani et al., Marchi, and Blaimschein et al. discussed above in regard to independent claim 8, from which claim 15 depends. Withdrawal of this rejection is respectfully requested.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 4/13/2007

By _____

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5582
Facsimile: (202) 672-5399

Howard N. Shipley
Attorney for Applicant
Registration No. 39,370